THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.8344 of 2007

Between:

A.Aagaiah Goud and others. … Petitioners

and

Government of A.P. and others. … Respondents

ORDER:

It is the case of the petitioners that one Sri Sarvaiah Goud was in occupation and continuous possession of the agricultural land admeasuring Ac.9-27 cents in Sy.No.557 situated at Turkayamjal Village, Hayathnagar Mandal, Ranga Reddy District, from 1930 onwards by raising crops and all the petitioners are his legal heirs. It is also stated that the Revenue Authorities also recommended for assignment of the said land in favour of the 1st petitioner vide File No.A-234/55, dated 03-05-1955. It is stated that the petitioners are in continuous possession and enjoyment of the said land. While so, the Mandal Revenue Officer, Hayathnagar Mandal, Ranga Reddy District, filed L.G.O.P.No.681 of 1994 on the file of District Court, Ranga Reddy District, alleging that one G.Balaraj grabbed the Government land in Sy.No.557 to an extent of Ac.3-08 cents situated at Turkayamjal Village, Hayathnagar Mandal, Ranga Reddy District. The District Court, Ranga Reddy District, dismissed the said L.G.O.P. on 30-10-1998. Aggrieved by the same, the Mandal Revenue Officer, Hayathnagar Mandal, Ranga Reddy District, filed an appeal before the Special Court under A.P.Land Grabbing (Prohibition) Act and the said appeal was dismissed through order, dated 23-06-2000.

It is not in dispute that L.G.O.P.No.681 of 1994, which was filed on the file of the District Court, R.R.District, was held in favour of the petitioners as it was found that the petitioners are not land grabbers and the ancestors of the petitioners are in continuous possession and enjoyment of the land

admeasuring Ac.9-27 cents in Sy.No.557, as is evident from the revenue records of 1952 under “Launi Khas”. The appeal filed against the said order was also dismissed. Thereafter, the 1st petitioner made an application before the District Collector, Ranga Reddy District, for issuance of Supplementary Sethwar and Pattedar Pass Book and Title Deed in his favour in respect of the land in question, wherein the District Collector, Ranga Reddy District, made the following endorsement:

> “To verify the filed, if crop exists and if there is no dispute, issue Pattadar Pass Book and Title Deed.”

Accordingly, the matter was referred to the Mandal Revenue Inspector and the Mandal Surveyor for reporting on the field aspect and also to prepare Sub-Division Record over the land in question for issuance of Supplementary Setwar in favour of the 1st petitioner. It is stated that the report is in favour of the petitioners. Basing on the said report, a detailed report was submitted to the District Collector, Ranga Reddy District, vide letter No.C/3147/94, dated 05-07-2003, for issuance of Supplementary Setwar, so as to facilitate the Deputy Collector and Tahsildar, Hayathnagar Mandal, Ranga Reddy District, to issue Pattadar Pass Book and Title Deed in favour of the 1st petitioner. It is stated that in the meantime, the Government acquired the land in question among other lands towards expansion of Hard Ware Park in Turkayamjal Village.

Learned counsel appearing for the petitioners submits that even the said land is acquired by the Government, the petitioners are entitled for compensation in accordance with law. But, however, the 1st petitioner is entitled for Pattadar Pass Book and Title Deed in respect of the land in question.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the District Collector, Ranga Reddy District, to take appropriate decision, pursuant to the report submitted by the Deputy Collector and Tahsildhar, Hayathnagar Mandal, Ranga Reddy District, vide letter No.C/3147/94, dated 05-07-2003, without any undue delay. On such decision taken by the District Collector, Ranga Reddy District, the Deputy Collector and Tahsildhar, Hayathnagar Mandal, Ranga Reddy District, shall take appropriate steps for issuance of Pattadar Pass Book and Title Deed in favour of the 1st petitioner, without any undue delay. However, the whole exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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27-09-2007

Prv